

IN THE CIRCUIT COURT OF MARYLAND FOR BALTIMORE COUNTY

STATE OF MARYLAND

Plaintiff

vs.

CASE NO: C-03-CR-23-003775

KAUFFMAN, STEVEN R.

Defendant

DEFENDANT'S OMNIBUS MOTION UNDER RULE 4-252

The Defendant, by and through Defendant's attorneys, James E. Keatts, Esquire and Keatts and Horton, LLC, pursuant to Maryland Rule 4-252, respectfully represents unto this Honorable Court:

1. That all charges against this Defendant be dismissed for defects in the institution of the prosecution and in the charging documents.
2. That all evidence seized from the person of the Defendant at or about the time of the arrest be suppressed because such evidence was seized unlawfully, absent probable cause, and in violation of the United States Constitution, the Maryland Declaration of Rights and other legal rights of this Defendant.
3. That all evidence be suppressed which was unlawfully seized by police officers or their agents in their search of persons, premises, motor vehicles or any container in connection with this alleged offense.
4. That all evidence be suppressed which was seized as a result of the illegal interception of wire or oral communications.
5. That all pre-trial identifications be suppressed because any such pre-trial identification procedure was:
 - (a) So impermissibly and unnecessarily suggestive as to give rise to a very

substantial likelihood of misidentification.

- (b) Performed in the absence of appointed or retained counsel for the Defendant.
U.S. Const. Amen. V, VI and XIV, Md. Declaration of Rights, Art. 21 (Right to Counsel) and Art. 24 (Due Process of Law).

6. That any in-court identification of this Defendant be suppressed as the product of a pre-trial identification process which was impermissibly suggestive, or which was otherwise violative of the Constitutional and other legal rights of the Defendant.
7. That any admissions, statements, or confessions by the Defendant be suppressed as having been:
 - (a) Either coerced, involuntary, and/or elicited during custodial interrogation in violation of the Defendant's Fifth and Fourteenth Amendment rights.
 - (b) Elicited by the initiation of State authorities after the appearance of counsel, formal charging or arraignment in the absence of counsel, in violation of the Defendant's right to counsel.
 - (c) Induced in violation of the common law of Maryland.
8. The Defendant moves that he/she be tried separately for each offense and apart from each and every other Defendant, and respectfully avers that to proceed otherwise would be clearly prejudicial to the Defendant's Constitutional and other legal rights.
9. That any and all prior convictions of the Defendant be suppressed as having been unconstitutionally and unlawfully obtained, and, further, that the prejudicial effect thereof will far outweigh any probative value thereof under the particular circumstances of the case.
10. That Defendant moves, pursuant to Maryland Rules of Procedures, Rule 4-271, the U.S. Constitution and Maryland Declaration of Rights, for a speedy trial and requests that the charges filed be dismissed if a trial is held in violation thereof.
11. That the charges be dismissed because the prosecution is barred because of statute of limitations, immunity, double jeopardy, res judicata or collateral estoppel.
12. That the charges be dismissed because the institution of the proceedings was unnecessarily delayed by the State to the prejudice and detriment of the Defendant and

in violation of his/her rights under the United States Constitution and Maryland Declaration of Rights.

13. That every chemist, analyst, and every other person involved in the chain of custody for any evidence the State plans to introduce actually be present at trial.

WHEREFORE, this Defendant respectfully prays this Honorable Court grant the relief requested in this Motion, and that the Defendant may have such other and further relief as the nature of his/her case may require.

Further, the Defendant moves this Honorable Court to grant him/her a speedy trial in the above-captioned matter.

Respectfully Submitted,

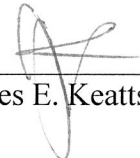


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Attorney for Defendant

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that on September 12, 2023 a copy of the Defendant's Omnibus Motion was electronically mailed, to the Office of the Assistant State's Attorney, via MDEC.



James E. Keatts

